

## DESIGN AGREEMENT CHECKLIST

### I. GENERAL INFORMATION:

- a. Name of Project: \_\_\_\_\_
- b. Name of Separable Element: \_\_\_\_\_
- c. Project/Separable Element Purpose(s): \_\_\_\_\_
- d. Non-Federal Sponsor(s): \_\_\_\_\_
- e. Agreement addresses design for (check all that apply):
- \_\_\_ Authorized Project or Separable Element of an authorized project
  - \_\_\_ Unauthorized Project or Separable Element of an unauthorized project
  - \_\_\_ NED Plan recommended in Feasibility Report
  - \_\_\_ Federally Supportable Plan recommended in Feasibility Report (NED Plan exception)
  - \_\_\_ Locally Preferred Plan
  - \_\_\_ Betterments
  - \_\_\_ Other (Describe) \_\_\_\_\_
- f. Initial funding for design:     \_\_\_ Budgeted     \_\_\_ Congressional Add
- g. Scheduled or actual date for Division Engineers's Public Notice: \_\_\_\_\_
- h. Scheduled date for execution of Design Agreement: \_\_\_\_\_
- I. Scheduled FY of Construction Start (budgeted projects only): \_\_\_\_\_
- j. Project Management Plan (PMP) and, if applicable, Project Study Plan (PSP) approval date(s): \_\_\_\_\_

### II. COST SHARING SUMMARY:

Total Design Cost	Non-Federal (25%) Share	Federal (75%) Share
_____	_____	_____

- a. Describe source of Sponsor's funds: \_\_\_\_\_

- b. Does the Sponsor have the funds in hand? \_\_\_ Yes \_\_\_ No. If no, describe the status of the Sponsor's efforts to obtain the funds: \_\_\_\_\_
- c. Source, amount, and date of authorizing statute to use other Federal Agency funds (Attach verifying letter from granting Agency) : \_\_\_\_\_
- d. Attach current Federal/Non-Federal Allocation of Funds Table using format attached.
- e. Attach letter of intent from Sponsor indicating capability and willingness to provide funds for design work in a timely manner.

### **III. FUNDING HISTORY**

General Investigations (PED) or Construction, General (CG) Funds History for Project/Separable Element:

<u>Fiscal Year</u>	<u>Budget Amount</u>	<u>Allocated Amount</u>
_____	_____	_____

### **IV. SPECIAL CONDITIONS**

- a. Is a sub-agreement required for Sponsor to perform: \_\_\_ Yes \_\_\_ No. If yes, describe the sub-agreement and how it relates to the Sponsor's requirements under the Design Agreement.
- b. If applicable, describe the allocation of costs among the multiple Sponsors.
- c. If applicable, list and provide cost estimates for design of betterments to be funded by the Sponsor.

### **V. REVIEW BY NON-FEDERAL SPONSOR AND THE SPONSOR'S COUNSEL:**

- a. Does the Sponsor concur in the Design Agreement, as submitted? \_\_\_ Yes \_\_\_ No
- b. Has the Design Agreement, as submitted, including the Certificate of Authority, been reviewed by the Sponsor's counsel? \_\_\_ Yes \_\_\_ No

### **VI. REVIEW BY DISTRICT COUNSEL:**

Has the District Counsel reviewed and approved the Design Agreement for legal sufficiency? \_\_\_ Yes (Certification attached) \_\_\_ No

### **VII. CERTIFICATION FOR DELEGATED DESIGN AGREEMENTS: YOU MUST**

**ANSWER "YES" OR "N/A" TO ALL OF THE FOLLOWING TO SIGN THE DESIGN AGREEMENT UNDER DELEGATED AUTHORITY.**

**a. DESIGN PHASE**

If there were any instances in the Project Guidance Memorandum or Documentation of Review Findings for the Feasibility Report that recommended certain tasks, normally completed during the feasibility phase, be accomplished during the design phase, have these deferred tasks been included in the PMP and cost estimate shown in the Design Agreement? ☐ Yes ☐ No ☐ N/A

If the feasibility report did not contain sufficient engineering detail in the engineering appendix to proceed directly to plans and specifications, has preparation of a Design Memorandum been included in the PMP and costs estimate shown in the Design Agreement? ☐ Yes ☐ No ☐ N/A

If the feasibility report did contain sufficient engineering detail in the engineering appendix to proceed directly to plans and specifications, has the MSC Engineering Division approval been given? ☐ Yes ☐ No ☐ N/A

If a decision document, sufficient to support a PCA, has not been prepared, is preparation of such a decision document included in the PMP as the first major output and have the costs of preparing this decision document been included in the cost estimate shown in the Design Agreement? ☐ Yes ☐ No ☐ N/A

Are all tasks necessary to be performed during the design of the Project, (i.e. value engineering studies, ship simulation, coastal processes modeling, geotechnical investigations, HTRW investigations, identification, survey, and evaluation of historic properties, environmental compliance, economic updates, and finalization of real estate requirements) addressed in the PMP and cost estimate shown in the Design Agreement? ☐ Yes ☐ No

**b. FUNDING**

If PED or CG funds were added by Congress, has guidance been furnished by HQUSACE regarding the scope of the design effort? ☐ Yes ☐ No ☐ N/A

Does the Design Agreement comply with HQUSACE Congressional Add guidance, if any? ☐ Yes ☐ No ☐ N/A. If no, explain why proposed agreement is being processed.

**c. FINANCING PLAN**

Has the Project Manager certified that the Sponsor has the funds to pay the non-Federal

share of total design costs as required by the Design Agreement? \_\_\_\_ Yes \_\_\_\_ No

**d. DESIGN AGREEMENT**

Is the Design Agreement in accordance with the model Design Agreement?

\_\_\_\_ Yes \_\_\_\_ No If No, see Section VIII.

**VIII. DESIGN AGREEMENT NOT DELEGATED FOR APPROVAL: DESIGN AGREEMENT MUST BE SUBMITTED TO HQUSACE FOR ASA(CW) APPROVAL WHEN ANY OF THE FOLLOWING APPLY:**

a. The Design Agreement includes deviations from the model Design Agreement. A list of deviations and an explanation of why each is required will be provided with the submittal.

b. The Design Agreement includes design of any deviation from the authorized project or the project recommended in the Feasibility Report, other than betterments. A description of the deviations and an explanation of why each is required will be provided with the submittal.

**IX. AUTHENTICATION:**

\_\_\_\_\_  
Project Manager

Date: \_\_\_\_\_

\_\_\_\_\_  
DDE (PM)

Date: \_\_\_\_\_

\_\_\_\_\_  
District Commander

Date: \_\_\_\_\_

**FEDERAL/NON-FEDERAL ALLOCATION OF FUNDS**  
**(\$000)**

<b><u>YR.</u></b>	<b><u>TOTAL</u> <u>DESIGN COST</u></b>	<b><u>%</u></b>	<b><u>NON-FED</u> <u>CASH</u></b>	<b><u>FED</u> <u>CASH</u></b>
1	650	43.3	162	488
2	500	33.3	125	375
3	350	23.4	88	262
	<hr/>	<hr/>	<hr/>	<hr/>
<b>Total</b>	1,500	100.0	375	1,125